

BEST AVAILABLE COPY**REMARKS**

Applicant has carefully reviewed the Office Action dated February 28, 2005.

Claims 1-32 remain pending in the application. New claims 33-36 have been added.

Claims 1-4, 7-13, 15-19, 22, 23-27, 29, 30 and 32 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bruggeman et al., U.S. Patent No. 6,142,693 (hereinafter Bruggeman) in view of Roman et al., U.S. Patent No. 4,686,729 (hereinafter Roman). Bruggeman discloses a liquid dispenser that is "self-contained," in that it is "hose-free." Roman discloses a washing brush having rotary bristles powered by a hydraulic motor.

In order for prior art references to render a claim obvious there must be some motivation or suggestion in the prior art to combine the references. See M.P.E.P. §2143.01. In this case, no such suggestion or motivation is contained in either reference. In fact, both Bruggeman and Roman contain language that teaches away from combining these references. Bruggeman contains language that teaches away from having hoses attached to the dispenser or anything else that would restrict manipulation of the dispenser by an operator. See column 2, Part A, first paragraph and column 3, Part B, fourth paragraph, where the device is described as hose-free and freely manipulable. The disclosure of Roman calls for a constant outside source of fluid, and thus would require the device to be hooked up to a hose or some other source of fluid, limiting manipulability. Because the disclosure of Bruggeman calls for a freely manipulable device, a combination with the features of Roman would defeat both the intended purpose (having a freely portable and manipulable device) and change the principle of operation

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of the Bruggeman device. For at least these reasons, there is no suggestion or motivation to combine Bruggeman with Roman.

In addition, Roman contains language that teaches away from this combination. Specifically, the simplicity of the design is referenced as an important feature of Roman. This simple design allows for a more robust, dependable mechanism and also allows for a lower profile so that the brush can be extended into smaller locations. See, for example, column 2, second and fourth paragraphs. Adding a second fluid delivery conduit and port to the head of the device and a telescopic dispenser system would likely lead to a more complex and larger device, not the reverse. Thus, Roman also teaches away from a combination with the features of Bruggeman.

Because no motivation or suggestion exists in the prior art to combine the Bruggeman and Roman references, Applicant respectfully asserts that independent claims 1, 17 and 32 are not obvious in light of these references. Because they depend on claims 1 and 17, and because they also recite additional patentably distinct elements, Applicant also asserts that claims 2-4, 7-13, 15, 16, 18, 19, 23-27, 29 and 30 are non-obvious and therefore patentable.

Claims 1, 5, 6, 8-13, 15-17, 19-21, 25-27, 29, 30 and 32 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bruggeman in view of Armbruster, U.S. Patent No. 5,289,605. (The Office Action apparently contained a typographical error in this section. The opening paragraph of this section states that the rejection is based on Bruggeman in view of Armbruster, whereas the following paragraph refers to Roman. The Applicant assumes that the first reference was correct, and the following discussion

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is based on this assumption. If this assumption is incorrect, Applicant believes that the combination of Bruggeman and Roman cannot be combined, as mentioned above.)

Armbruster discloses a DC powered scrubber including a DC motor driven sponge, but does not mention a fluid delivery system. In order for a combination of references to render a claim obvious, each and every element must be present in the prior art. *See M.P.E.P. §2143.03.* At least one of the elements of claims 1, 17, and 32 is missing from the combination of Bruggeman and Roman. Claim 1 recites "a telescopic handle including an actuatable dispenser" along with a "conduit for delivering water to the brush head," and claims 17 and 32 contain similar elements. This combination of elements is not present in the combination of Bruggeman and Armbruster. Bruggeman does not disclose more than one fluid delivery element, and Armbruster does not disclose a fluid delivery system at all. Because the combination of Bruggeman and Armbruster does not contain multiple fluid delivery systems, this combination cannot render independent claims 1, 17 or 32 obvious. Likewise, because they depend on claims 1 and 17 and because they recite additional patentably distinct elements, Applicant asserts that dependent claims 5, 6, 8-13, 15-16, 19-21, 25-27, 29 and 30 are allowable over Bruggeman in view of Armbruster.

Claims 14, 28 and 31 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bruggeman in view of Roman, and further in view of Fromm, U.S. Patent No. 4,254,526. Fromm discloses a car washing aid. As stated above, the combination of Bruggeman and Roman lacks motivation or suggestion. Because these two references cannot be combined for the purposes of an obviousness rejection, and because Fromm does not supply the elements missing from either the Bruggeman or the Roman

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references, Applicant respectfully submits that claims 14, 28 and 31 are not obvious in light of the cited prior art.

Claims 14, 28 and 31 were rejected under 35 U.S.C. 103(a) as being unpatentable over Bruggeman in view of Armbruster, and further in view of Fromm. As stated above, the combination of Bruggeman and Armbruster does not disclose all of the elements of independent claims 1, 17, and 31. Because Fromm does not disclose the missing elements, Applicant respectfully submits that claims 14, 28 and 31 are not obvious in light of the cited prior art.

Applicants have also added claims 33-36. No new matter is added to the application with the addition of these claims. Because they are dependent on allowable independent claims and because they recite additional patentably distinct elements, Applicants assert that these claims are also allowable.

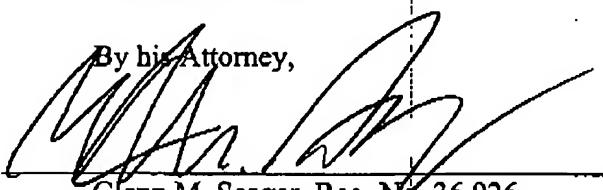
Reexamination and reconsideration are respectfully requested. It is respectfully submitted that the claims are now in condition for allowance, issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

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By his Attorney,

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